THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :24004 of 2006

DATED: 25-01-2007

Dr.Kaja Sures Babu.

..... PETITIONER

AND

The Deputy Commissioner of Excise,
Eluru, West Godavari District & another.

.....RESPONDENTS

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Prohibition & Excise appearing for the respondents.

2. The case of the petitioner is that he is the owner of the Maruthi Van bearing No.AP37D 3435 which was seized by the respondents on the ground that it was used for transportation of liquor, contrary to the provisions of the A.P.Prohibition Act (for brevity, 'the Act'), in Cr.No.221 of 2004 registered by the Station House Officer, Jangareddigudem, Excise police station, West Godavari District, and a case has been filed before the Deputy Commissioner of Prohibition & Excise, Eluru, West Godavari District, in C.C.No.854 of 2005 for confiscation of the vehicle.

3. It is stated that though an application has been filed for grant of interim custody of the said vehicle the same has not been considered and disposed of by the 1st respondent.

4. Having regard to the facts and circumstances of the case, the 1st respondent is directed to consider and dispose of the said application filed by the petitioner for grant of interim custody of the said vehicle pending disposal of the

confiscation proceedings subject to imposition of terms and conditions in accordance with law within four weeks from the date of receipt of a copy of this order.

5. Accordingly, the Writ petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

25th January, 2006.

Note:

Furnish C.C. within one week.

B/o

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